

8 ENVIRONMENTAL JUSTICE

Environmental justice refers to the fair and equitable treatment of all people with respect to environmental and health consequences of federal laws, regulations, policies, and actions. Environmental justice impacts are defined in Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority and Low Income Populations* (February 11, 1994). This Executive Order requires all federal agencies to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. The Executive Order also contains directives related to public participation and consumption patterns of fish and wildlife by indigenous populations.

Environmental Justice

- ♦ 1992 EIS/EIR: The EIS/EIR predated the 1994 Executive Order requiring consideration of environmental justice issues.
- ♦ 1992–1997: Executive Order 12898 was issued on February 11, 1994. Environmental justice was addressed in subsequent NEPA documents that included proposed LLNL programs and projects. Those analyses concluded that there were no environmental justice concerns within the contexts considered.
- ♦ 1998–2002: The projected impacts of new and proposed actions for this period are not disproportionately high and adverse. Cumulative tritium releases would not result in high and adverse impacts to human health or the environment. Supplementation of the EIS/EIR for environmental justice is not needed at this time.

The Executive Order does not define what constitutes minority and low-income populations, nor does it define what constitutes a disproportionately high and adverse environmental effect. However, these terms have been defined by DOE NEPA practice and guidance (DOE 1995b), DOE guidance on the CERCLA process (DOE 1998b), guidance provided by the Environmental Protection Agency (EPA 1998), and guidance by the President's Council on Environmental Quality (CEQ 1997a). For the purpose of this analysis, minority and low-income populations are defined on the basis of the U.S. Bureau of the Census definitions. Minority populations are defined as including Black, American Indian, Asian-Pacific, and Hispanic racial or ethnic categories. Low-income populations have an income level that is below the poverty level as defined by the U.S. Bureau of the Census.

The analysis in this section was based primarily on information in Executive Order 12898, guidance documents, and existing NEPA documentation.

8.1 THE 1992 EIS/EIR ASSESSMENT

The 1992 EIS/EIR predated the 1994 Executive Order related to environmental justice; therefore, this issue was not addressed as a separate topic in the 1992 EIS/EIR.

8.2 CHANGES FROM 1992 TO 1997

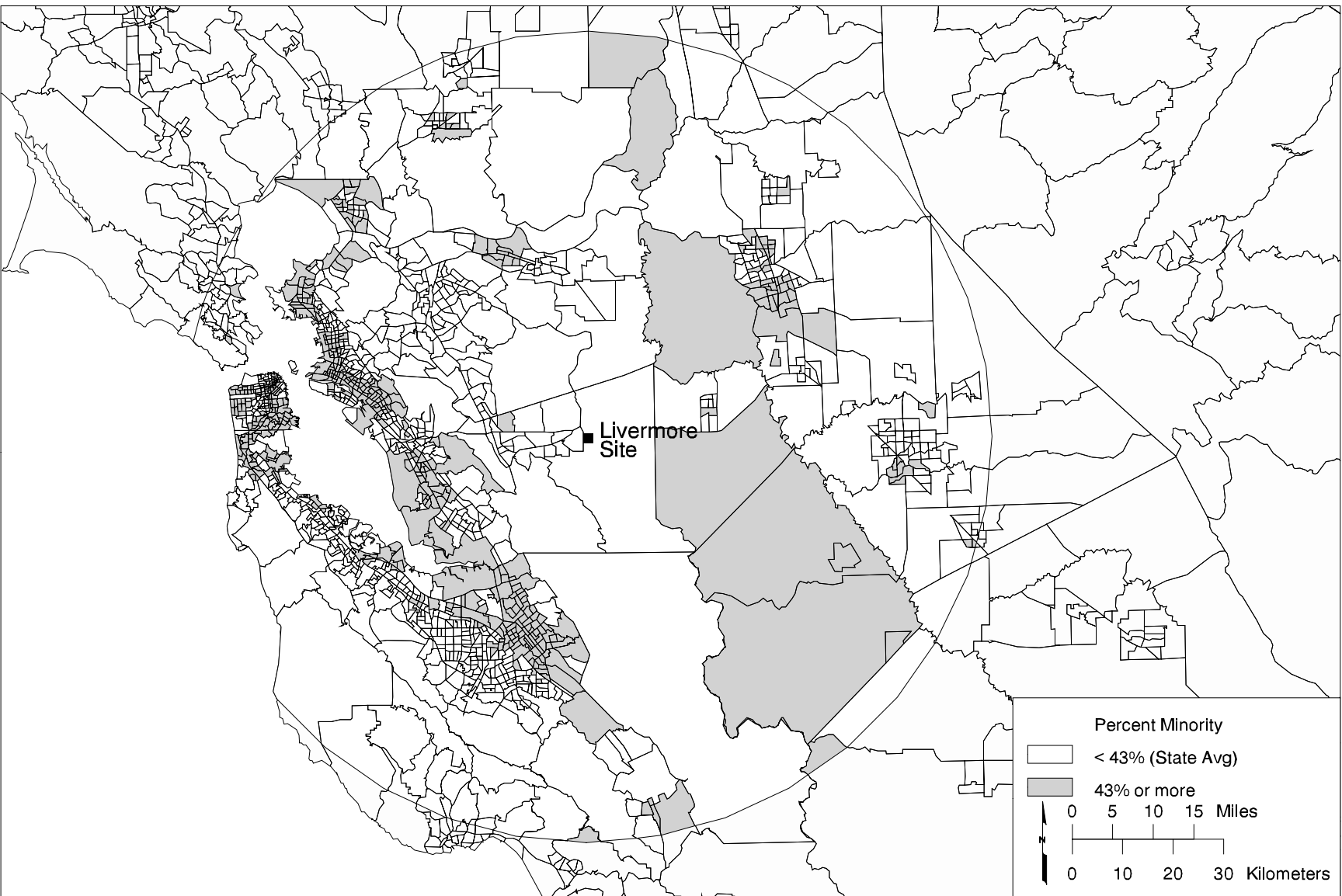
After the issuance of the Executive Order in 1994, environmental justice issues were assessed for Lawrence Livermore National Laboratory as part of the Waste Management PEIS (DOE 1997b), the Stockpile Stewardship and Management PEIS (DOE 1996b), and the Surplus Materials and Disposition PEIS (DOE 1996d). These studies concluded that, for these programmatic actions, there were no disproportionately high and adverse impacts to minority or low-income populations for LLNL activities.

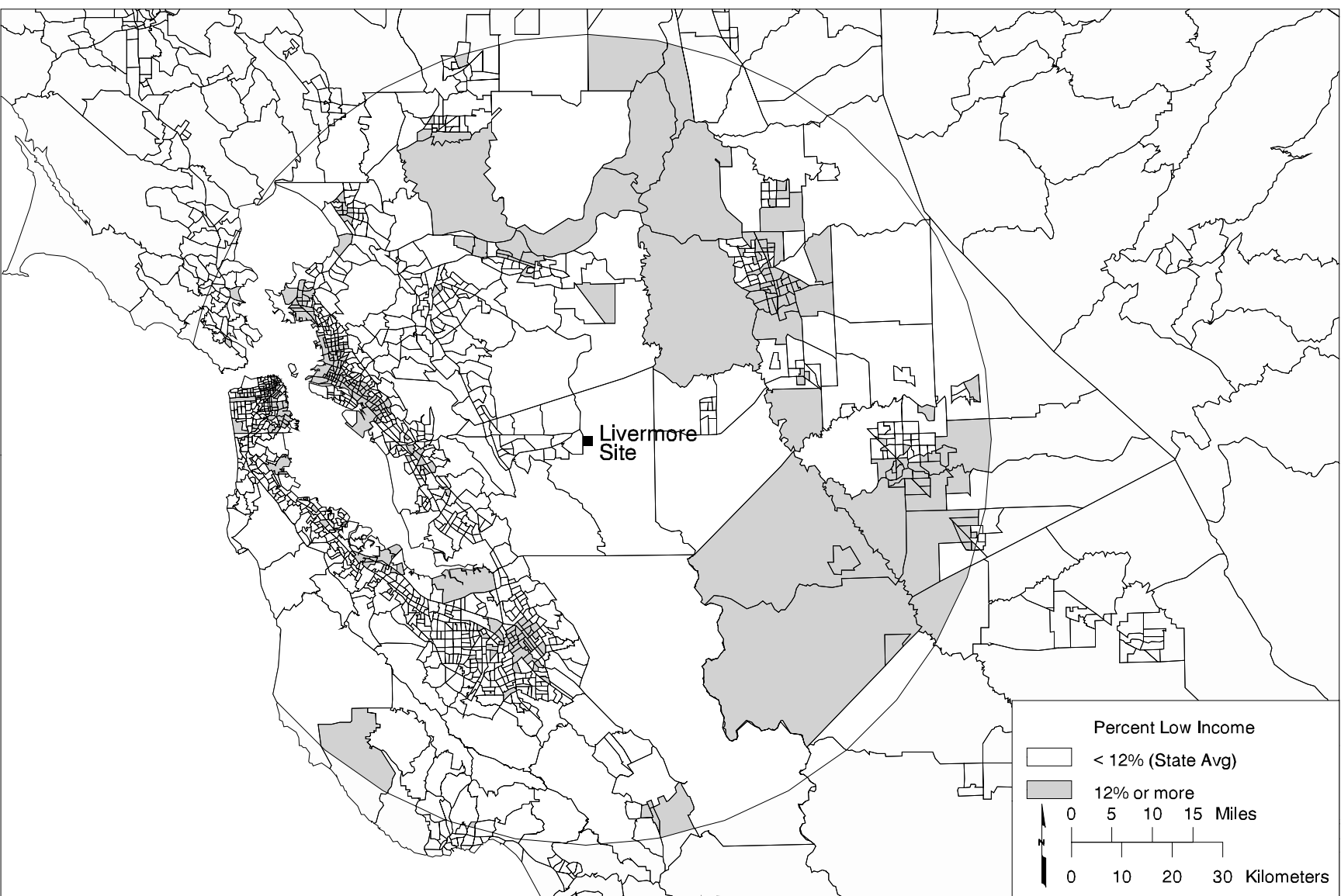
8.3 ANALYSIS OF PROJECTED CHANGES FROM 1998 TO 2002

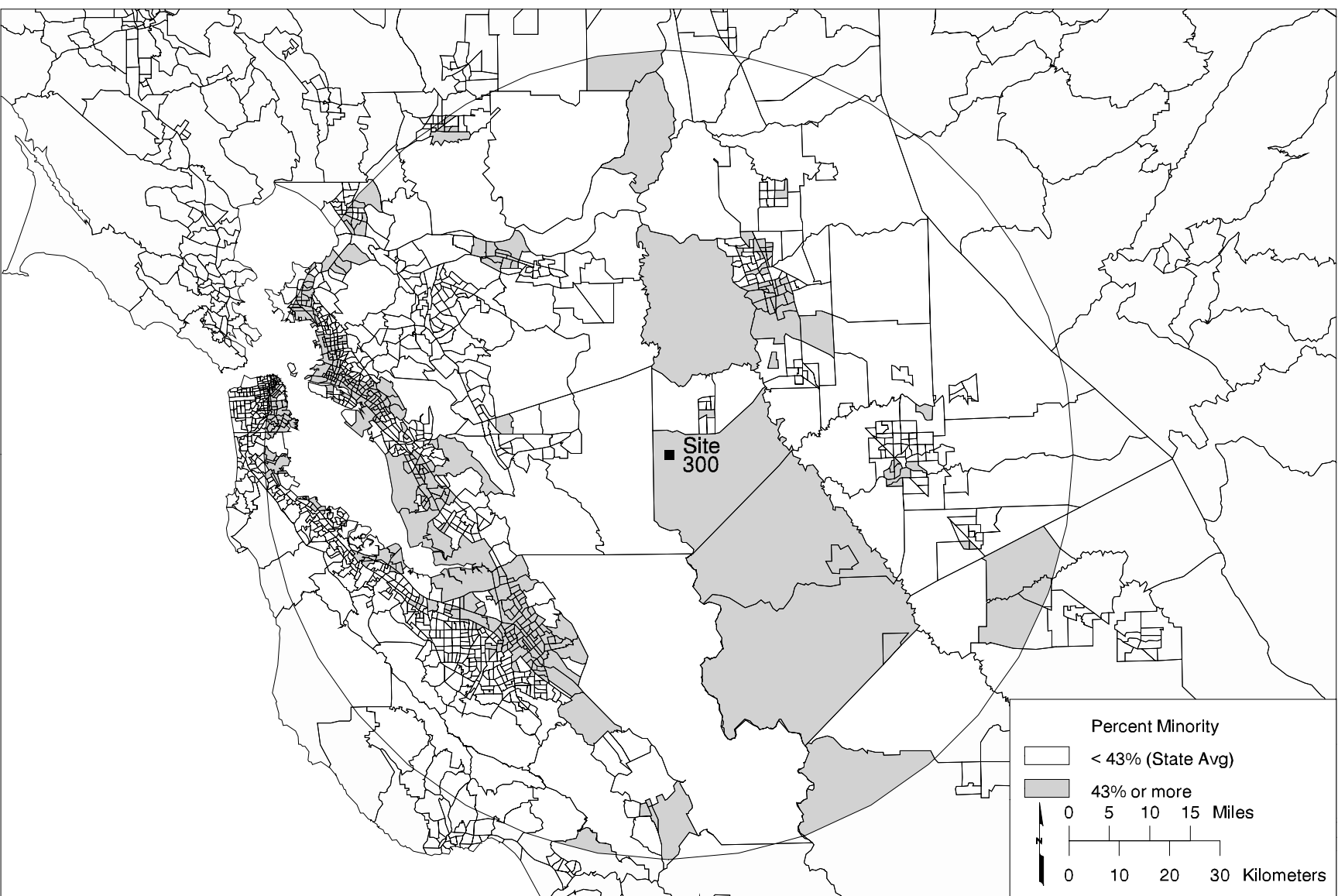
It is not expected that any of the proposals and projects from 1998 to 2002 will result in disproportionately high and adverse impacts to minority or low-income populations near either the Livermore site or Site 300. The locations of areas with minority or low-income populations greater than the state average are indicated in Figures 8.1 and 8.2 for the Livermore site and Figures 8.3 and 8.4 for Site 300. The Livermore site region and the Site 300 region, on average within a 50-mile radius, do not have more minority or low income populations than the state average. The supporting documentation for the NIF portion of the SSM PEIS (Lazaro et al. 1996) evaluated the demographics of the Livermore site in detail. Within the more immediate area there was a tendency for the percentage of minority population to be somewhat higher near the site. As shown in Figure 8.3, in some areas in the immediate vicinity of Site 300, the percentage of the population that belongs to a minority is greater than the state average.

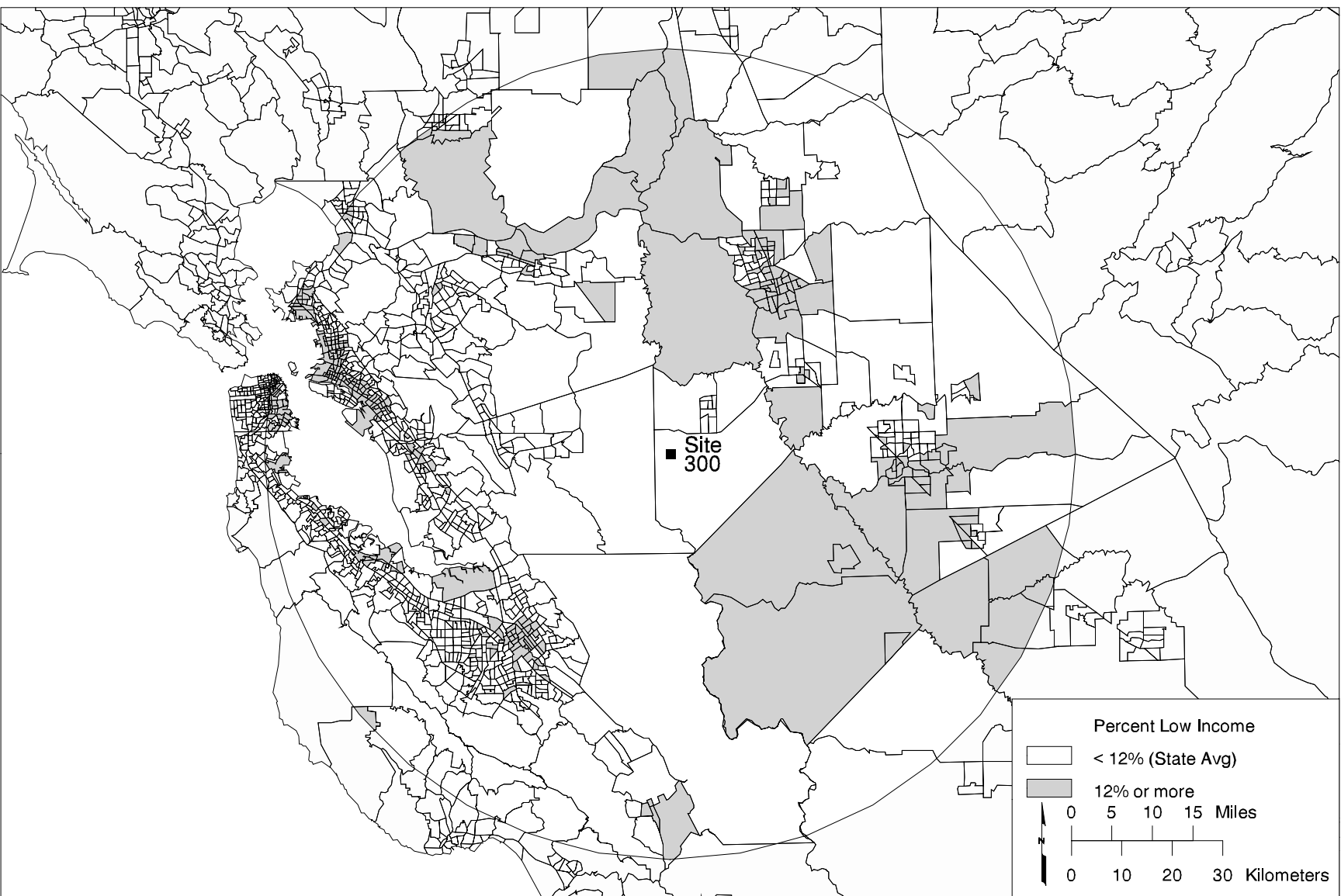
The largest facility to be constructed during this period will be the NIF. The SSM PEIS (DOE 1996b) concluded that the construction and operation of NIF would not pose disproportionately high and adverse effects on either minority or low-income populations in the Livermore site area because none of the impacts would be high and adverse.

The Contained Firing Facility at Site 300 was proposed to be designed to permit experiments that would involve tritium (DOE 1996b, Appendix J). The facility design has been changed, however, to eliminate that capability because of cost. No tritium-containing experiments are planned for the Building 850 Hydrodynamic Test Facility either. Thus, tritium-containing experiments at Site 300 may still be conducted as outlined in the proposed action of the 1992 EIS/EIR or would be done at the Nevada Test Site. Therefore, no changes in the impacts are expected from conditions that would have applied in 1992. No supplementation of the 1992 EIS/EIR relative to tritium releases is needed with respect to environmental justice.









8.4 CONCLUSIONS

For the key proposals and projects expected to occur from 1998 to 2002 (Table 1.1), this SA has not identified any impacts not included in the 1992 EIS/EIR that would exceed any regulation, standard, or guideline or that could be considered high or adverse. While minority and/or low income populations are found in the local area of the Livermore site and Site 300, impacts to these populations would not be disproportionately high and adverse, due to the low level of potential impacts. The effects of new proposals and projects would be either minor, confined to the site, or within the historical operational effects of LLNL. No supplementation of the 1992 EIS/EIR with respect to environmental justice is needed at this time.

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